

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JOHN A. HEMSLEY,	)	No. C 09-6002 LHK (PR)
	)	
Plaintiff,	)	ORDER DENYING
	)	DEFENDANT'S MOTION FOR
v.	)	EXTENSION OF TIME AS
	)	MOOT
OFFICER LUNGER,	)	
	)	
Defendant.	)	
_____	)	

Plaintiff, a state prisoner, filed the instant *pro se* prisoner second amended complaint under 42 U.S.C. § 1983. On July 1, 2011, Defendant filed a request to modify the Court's order of service directing him to file a dispositive motion by July 13, 2011. The Court construes Defendant's request as a motion for extension of time. However, Defendant filed a timely motion for summary judgment on July 12, 2011. Accordingly, Defendant's motion is denied as moot.

This order terminates docket no. 27.

IT IS SO ORDERED.

DATED: 7/29/11

  
LUCY H. KOH  
United States District Judge